

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X  
OLIVIER GOUREAU and OLIVIER GOUREAU,  
INC.,

Plaintiffs,

-against-

NOEMI GOUREAU, NICOLAS GOUREAU,  
GOOBERY CORP., NOG INTERNATIONAL, INC.  
and FOPPS, INC.,

Defendants.  
-----X

Civil Action No. 12 cv 6443 (PAE)

ECF CASE

DECLARATION OF HAROLD  
F. MCGUIRE, JR., ESQ.

State of New York     )  
                              ) ss:  
County of Westchester                     )

I, HAROLD F. MCGUIRE, JR., ESQ., declare under penalty of perjury that the foregoing is true and correct:

1. I am a member in good standing of the bar of the State of New York and of this Court. I am a partner in the law firm of Yankwitt & McGuire, LLP and I represent plaintiffs Olivier Goureau and Olivier Goureau, Inc.

2. I make this declaration in support of Plaintiffs' cross-motion to file a Second Amended Complaint.

3. Defendants, after answering, have moved for judgment on the pleadings as to aspects of the Amended Complaint. They have declined to consent to this motion without giving a reason.

4. I also make this declaration to provide the Court with copies of the proposed Second Amended Complaint in support of Plaintiffs' cross-motion.

5. Attached as Exhibit A to this declaration is a true and correct copy of the Proposed Second Amended Complaint.

6. Attached as Exhibit B to this declaration is a true and correct black-lined copy of the Proposed Second Amended Complaint, which shows the proposed amendments to Plaintiffs Amended Complaint in a comparative format.

Executed under penalty of perjury on: March 11, 2013



Harold F. McGuire, Jr.